

**The Bill Blackwood
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Police Body Cameras in School Environments

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ABSTRACT

Over the past several years, law enforcement and citizen relationships have become strained for a variety of reasons. One significant reason is the increasingly frequent use of police body-worn cameras in diverse environments and situations, even though such usage has the staunch backing from both community stakeholders and the police departments in which they serve. This dichotomy of support could be attributed to different problems that have surfaced since the introduction of the body-worn cameras. One problematic area of contention is the implementation of body-worn cameras within school and educational settings. Police body-worn cameras come with their own specialized constraints and challenges to effective implementation. School districts are now partnering with local police departments in a collaborative effort to combat violent crime in schools. Recent tragic incidents on school campuses have increased in the United States and a movement towards increased security measures has started to take place. Police body-worn cameras can be vastly beneficial when utilized within these school environments.

TABLE OF CONTENTS

	Page
Abstract	
Introduction	1
Position	2
Counter Position	6
Recommendation	9
References	13

INTRODUCTION

In the United States, there has been a significant documented escalation of school violence; the most well-known and compelling school shooting was in Columbine, Colorado in 1999 which resulted in the deaths of 12 students and faculty with an additional 21 seriously injured. Hanover (2013) reported that the addition of security measures such as surveillance cameras and/or closed circuit television (CCTV) and the use of police officers on campus have increased since 1999; over two-thirds of students surveyed now report that they have observed at least one police officer assigned to their school for security purposes. Parents, school administrators, and the community have openly welcomed and supported these surveillance systems on campuses. Appropriately, education is an extremely significant topic of discussion among politicians today; in fact, most recently, the election-year political climate has demanded attention to action directed at the educational field at all levels. Politicians are now discussing the many problematic safety issues occurring at elementary, high school, and college campuses.

At the same time, in the wake of recent high-profile school shootings, the significant increase of surveillance equipment and law enforcement personnel in school populations is disconcerting. It is a sobering fact that violent crime can and has occurred within any school system; it is because of these varied and tragic threats that police body camera programs should be implemented in the school environments. The use of this surveillance equipment should have distinct clear written guidelines and policies before being employed within the school system. Some community leaders and educators believe that, in a complex sensitive environment such as a school campus,

body-worn cameras come with some serious side effects that have not been fully researched or realized. This paper addresses three important and inter-related aspects of this debate: first, police body cameras do display a sharp, well-defined picture of the scene from the officer's point of view; second, the use of body-worn cameras commonly result in improved behavior by students; and, finally, this surveillance equipment can result in a reduction of excessive force complaints, the additional associated costs of expensive lawsuits, and adverse public opinions and reactions.

POSITION

As criminal activity and active violent situations continue to trouble school administrators and the public, the need for increased actual police presence is easy to justify; still, body-worn cameras have shown promising results. School districts have increased the number of law enforcement officers who actively patrol halls, school grounds, classrooms, and gyms, but thoughtful consideration should be afforded to the valid recording of these student interactions. Law enforcement officers assigned to daily street patrols and community details cannot interact with students in the same manner as this regular population and demographics. Taylor (2016) surmised that if body cameras are operated under suitable procedures and frameworks, they can contribute in a positive way between the police and public and maybe the student and faculty.

School administrators have openly embraced the use of body-worn cameras, and their use has been documented as being beneficial to the law enforcement officer who answers calls for service in the school environment. The use of police body-worn cameras can display a clear picture of the actual scene from the officer's point of view.

As officers are regularly called to the school environment to assist with unruly and disruptive students, the camera can be activated to enable administrators to view exactly what occurred during the time of the incident. The body-worn cameras can become an additional unbiased technology that does not distort the facts, nor manipulate footage to serve varying goals. Brucato (2015) stated that the importance of point of view is imperative due to the possibility that people could forget what happened and could report, later manipulating what exactly occurred. With this in mind, law enforcement personnel have continuously had to recall details during trials and administrative actions taken against students. Beger (2002) stated, "The large influx of police officers in public schools has shifted the responsibility for maintaining order and discipline in the classroom away from teachers and into the hands of law enforcement officials" (p. 121). This shift in responsibility has resulted in increased surveillance and the watchful eye of law enforcement in the student's environment. Due to the enormous amount of variables that take place during a critical incident, it is important to recall these details for report writing, prosecution, or to evaluate what happened.

Body-worn cameras also have an additional benefit that most administrators have not considered: the body-worn cameras can result in improved behavior, especially when students know they are being observed and recorded. Law enforcement administrators, proponents, and community advocates should also thoughtfully consider that dealing with school-age children requires a distinctive individualized type of treatment, unlike the regular adult populations who are handled at the criminal level. According to Ready and Young (2015), the mere presence of a video camera can immediately alter a person's behavior when they believe someone else

may be recording their actions at the time of their law enforcement contact. As police officers arrive at the scene, students who realize that they are being recorded on a body-worn camera are not as apt to continue their outburst or defiance. Although risk avoidance has become a key term, body-worn cameras do have a positive effect on student behavior when police officers arrive at the scene. This deterrence from criminal or deviant behavior is lowered due to the possibility that the student may be recorded with a body-worn camera. Hope (2009) stated that digital technologies such as surveillance do play a role in controlling student behavior; this technology may be used by schools in new ways. This deterrence method is not only effective, but also allows officers that arrive on scene a possibility of taking control of a violent situation without the use of physical force.

Additionally, Ariel, Farrar, and Sutherland (2014) determined that when body-worn camera evidence is presented, a significant reduction in the number of complaints by citizens are reported to law enforcement agencies. With the presence of police body-worn camera footage, an objective piece of evidence comes into play. When a police officer encounters a student's passive resistance, the actions taken by the officer are usually justified when seen from the eyes of the officer; that is, a student's passive resistance means there is no physical force that needs to be used, but this passive resistance can be very difficult to articulate later in a police report. The use of body-worn cameras in these incidents can paint an accurate picture to administrators, parents, and students to understand clearly why the force was utilized by the officer. There has been limited research or other documentation that has effectively proven that the effect of increased surveillance on campuses has had a negative effect on the

students and faculty. While it is commonly understood that police officers deal with juveniles on daily basis, the resultant story told after the contact can become manipulated negatively. For example, contact from police officers with juveniles has been recorded, sometimes selectively, on cell phone video, and then edited and posted for widespread indiscriminate distribution on social media websites such as Twitter, YouTube, and Facebook.

Generally, these recordings only start from when the offense actually occurred and do not include what happened before the time the officer was compelled to use force. These beginning initial minutes or seconds of video are invaluable to provide a legal basis with which the officer justified the use of force or specific action. The uses of body-worn cameras do provide valuable digital evidence when interacting with these student populations and their use could result in the elimination of a costly civil suits and/or negative press coverage against the police department. It should also be noted that these body-worn cameras could realize their full financial benefit in a very short time frame.

Lastly, with the use of body cameras, police agencies may realize an upsurge in community trust and tolerance from students, parents, and school administrators when police have interactions with students. As previously stated, due to the recent increase of serious, violent crimes committed within school environments, districts have invested a large amount of resources to ensure the safety of all students. Although costly, these surveillance systems and officer body-worn cameras do indeed protect the student populations. More importantly, the body-worn cameras increase the citizens' knowledge of and understanding of police accountability. When an incident takes place,

the camera is objective in nature and does not favor either side; the footage is irrefutable and depicts the events as they truly unfolded. From an empirical standpoint, “Data from the 2001 National Crime Victimization Survey (NCVS) indicates that 36% of all serious, violent crimes against middle school or high school students occurred during school or on the way to or from school” (Jennings, Khey, Maskaly, & Donner, 2011, p. 110). The data provided by the NCVS exemplifies a dramatic surge in the increased threat in and around schools. The advancement of a body-worn camera program will greatly enhance a school’s ability to address a variety of problems and mitigate violence in schools. The preponderance of the evidence and current scholarly research suggest that there is a strong inherent need for the immediate implementation of a body-worn camera program alongside current police presence in the school environment.

COUNTER POSITION

These themes are troublesome as school administrators nowadays have to actively consider this new technology in their daily review and evaluation of the student’s environment; increased police patrols in schools, however beneficial or necessary, can have severe long-lasting psychological and physiological effects that could influence and impact students for the rest of their lives. There are some counterpoints that should be discussed when implementing a body-worn camera program in a school environment. One of most prevalent argument is the issue of privacy concerns when it pertains to the use of body-worn cameras. Freund (2016) believes that victims of crimes, and especially juveniles, are some categories of people who would become very vulnerable if recorded on body-worn cameras.

As the officer interacts with any individual student or group, the body-worn camera is activated during these private exchanges or conversations. To completely understand and address this concern with factual statements, it must be remembered that body-worn cameras are affixed to the officer's uniform and can be easily activated by the officer at individual discretion in any situation. In 2014, the Community Oriented Policing Services (COPS) released a general recording policy: "Officers should be required to activate their body-worn cameras when responding to all calls for service and during all law enforcement related encounters and activities while the officer is on duty" (p. 40). It should be noted that all police departments' specific guidelines or general orders are established to protect the privacy of all citizens, no matter the age, from misconduct and misuse of body-worn cameras. It is reasonable to understand that citizens have concerns when it pertains to the use of body-worn cameras as applied to their children. It is argued by Handzel (2016) that if the officer is in a public forum, such as a cafeteria, school hallway, or classroom, there is no expectation of privacy because it is in plain view and in a public location. Therefore, Freund's (2016) statements are not entirely accurate due to the fact that extreme care is taken by police departments and governmental agencies to protect the privacy of all those recorded on the body-worn cameras.

Digital evidence recorded by body-worn cameras are easily stored and retained, and these related retention periods are the second discussion counterpoint. Lippert and Newell (2016) stated that body cameras pose a risk to personal privacy and believe that cameras pose a risk to a person's privacy and focuses on the fact that obtaining consent from citizens prior to recording is almost impossible. School administrators,

parents, and citizens are concerned about the storage and privacy of camera footage and related retention policies focused on the length of time the recordings are kept by the police departments and other agencies. A counterpoint to this argument is discussed in a study by Joh (2016) who found that police departments are producing more than 10,000 hours of video data a week; this is often beyond the capabilities for normal storage, and therefore, videos must have a specific retention period. Under normal practices, the resultant recordings are transmitted from the body-worn cameras and stored securely on police department servers. As such, these school interactive recordings are then electronically transmitted by way of wireless technology (Wi-Fi) to the local law enforcement agency and stored on the agency's network server as long as electronic memory is available; after a specified period of time, the footage is automatically erased to allow memory to be used by newer incoming footage.

These recordings can only be viewed within the period of electronic availability and only by administrative command staff of the law enforcement agency. All recordings are treated as potential evidence and cannot be erased until the memory has been filled or a set time period established by the department's retention period has elapsed. Piro (2008) stated, "Issues such as teacher rapport with students, privacy, suppression of academic creativity and spontaneity, and the inability of parents, teachers, and students to view the recordings without a court order have often been suggested as a disturbing byproducts" (p. 31). The privacy concerns of police body-worn cameras are a moot point due to the large amount of existing legal guidelines, general orders, and the ethical obligation of the police department that serves the school district. Parents, teachers, and citizens can request an open records request of

anyone's camera video to be released under the Texas Open Records Act, and no court order is needed. Citizens should feel confident that the growing cost of electronic infrastructure needed to secure all body-worn camera footage for the department requires purging after a certain time period to remain sustainable.

RECOMMENDATION

Education is an especially extensive and intensive topic of study, and many educators and other concerned individuals believe that police patrols are the answer to deter school violence and criminal misconduct on campuses. Unquestionably, students should be protected when discussing sensitive or confidential matters to school officials or law enforcement officers; thus, students can confide in law enforcement about sexual and/or familial abuse, criminal activities, or bullying based on this confidence. Serious consideration must focus on the strict privacy controls that police use to record any interaction with students while being recorded; likewise, these conversations no matter how private in nature it is, will be uploaded and stored for a finite period before being deleted.

Freund (2016) stated, "Due to the nature of policing, officers will interact with members of the public who may be in undignified, or embarrassing situations (p. 103). It is common knowledge that police officers arrive at a variety of different, and sometimes confusing, service calls that could include private, delicate, or embarrassing situations. Within school environments, these situations may include children in partially clothed situations, the physically injured, or students who are suffering emotional trauma or distress: the privacy of these students must be safeguarded from misappropriation as well as exploitation. In this ever-changing complex society, a large

influx of students from multi-nations, different economic backgrounds, unique societal upbringing, and diverse religious beliefs are being introduced into the various school systems. School administrators are constantly battling truancy, discipline, crime and delinquency, and social-economic issues in an attempt to prevent them from disrupting the education and learning processes. The argument can be made that the positive long-term influences result through the use of various crime deterrence methods; that is, when police officers, either on campus or on community patrols, wear body cameras, there will be added opportunities for positive behavior change and actions, since these cameras allow the police officer to exercise influence in more effective and thoughtful way.

School administrators believe that the power of police surveillance is worth the reduction in privacy in schools and the elimination of freedoms afforded to everyone, as the school environment is a public domain, and therefore no one should have the right to privacy. As Braggs (2004) wrote, as the law currently stands, video surveillance has a legitimate use in law enforcement, and students in the classroom setting have a lower expectation of privacy than the public. Body-worn camera usage in education settings not only represents forward progress in technology, but positively, this new technology could also be a far-reaching and can affect the basic foundation of each educational environment. The pervasive implementation of the use of body-worn cameras does indeed present a troubling precedent of distrust and negative attitudes towards privacy; however, scholars have determined that there are no true privacy issues involved with body cameras as long as established guidelines for their use are followed.

This research summarizes the benefits to implementing a police body-worn camera program in the school environment. In order to see this initiative to fruition, police departments must and should have established rules/regulations, guidelines, and general orders pertaining to the use of body-worn cameras, the retention of electronic evidence, and privacy issues. Extensive training should take place with all officers who may come in contact with the student population. Various surveillance techniques and methods, including body-worn cameras, aim to control the population as a whole, most particularly within technologically advanced societies. As school populations continue to increase, the need increases for supervision and control over the growing student body. Any type of surveillance, whether by a police officer or body-worn cameras, in the school systems should be very minimal and should not interfere or intrude on the learning process or environment. Although reducing life-threatening risks and other incidents by using body-worn cameras are credible, the negative consequences of their use seem to be minimal at this time.

More importantly, administrators at all levels within schools, agencies, or public/private institutions should safeguard their students and ensure that all necessary camera footage obtained in the classroom environment is immediately secured by law enforcement. Bakardijev (2015) believes that body-worn cameras are one of the newest police technologies assisting police departments in their effort to strengthen community trust, fight crime, and have total transparency. This transparency awareness allows the population to protect their privacy as much as possible and allows the population to have an interest in how their children are being recorded. Policies applicable to the use of police body-worn cameras should be established and reviewed

by the city attorney, with final approval granted by the school board stakeholders. The reason for the various approval entities guarantee that there is no ambiguity in how the police body-worn cameras will be used in the schools and their storage and retention periods are clearly defined. Body-worn cameras can be used effectively in the school environment, but as with any law enforcement tool, proper planning, training, and implementation is seminal to its success.

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